

Berger&Montague,P.C.

ATTORNEYS AT LAW

LAWRENCE J. LEDERER ALSO ADMITTED IN DC

WRITER'S DIRECT DIAL 215/875-4625

WRITER'S DIRECT FAX 215/875-4604

WRITER'S DIRECT E-MAIL llederer@bm.net

June 10, 2015

Via Federal Express Overnight

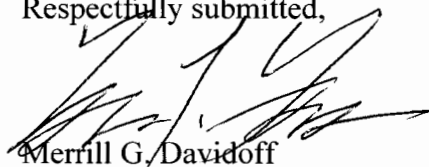
The Honorable Victor Marrero
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Dodona I, LLC v. Goldman, Sachs & Co.*, 10 Civ. 7497 (VM) (S.D.N.Y.)

Dear Judge Marrero:

We represent lead plaintiff Dodona I, LLC and the class. Enclosed please find a courtesy copy of Lead Plaintiff Dodona I, LLC's Response to the Court's June 3, 2015 Decision and Order to Show Cause Regarding the Unsealing of Discovery Materials Submitted in Summary Judgment. The original has been filed today via ECF.

Respectfully submitted,



Merrill G. Davidoff
Lawrence J. Lederer

MGD:LJL:skn

Enclosure

cc: Counsel for All Defendants

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
DODONA I, LLC, on Behalf of Itself	:
and All Others Similarly Situated,	:
	:
Plaintiff,	:
	:
v.	:
	:
GOLDMAN, SACHS & CO., THE	:
GOLDMAN SACHS GROUP, INC.,	:
PETER L. OSTREM and	:
DARRYL K. HERRICK,	:
	:
Defendants.	:
-----X	

10 Civ. 7497 (VM)(DCF)

ECF CASE

**LEAD PLAINTIFF DODONA I, LLC'S RESPONSE TO THE COURT'S JUNE 3, 2015
DECISION AND ORDER TO SHOW CAUSE REGARDING THE UNSEALING OF
DISCOVERY MATERIALS SUBMITTED IN SUMMARY JUDGMENT**

Lead Plaintiff Dodona I, LLC ("Plaintiff") submits this response to the Court's June 3, 2015 Decision and Order ("Order") (Dkt. 228) regarding the unsealing of discovery materials submitted by the parties in their summary judgment filings. The Order directs the parties to "show cause ... as to why those portions of the summary judgment motion record in this case that do not contain confidential trade secrets or other proprietary business information ... should not be unsealed." (Order at ECF 6.)

Plaintiff agrees that only those portions of the summary judgment record that contain "confidential trade secrets or other proprietary business information" should remain sealed. In view of the Court's June 3, 2015 Order, Plaintiff has no objection to its summary judgment filings being unsealed in full as to all documents and materials that Plaintiff produced in

discovery in this litigation which were submitted or included in the parties' summary judgment filings. Plaintiff must await Defendants' position regarding the potential unsealing of any such documents Defendants produced in this case that were submitted or included in Plaintiff's summary judgment filings -- and, ultimately, the directives of the Court -- before Plaintiff removes redactions applicable to Defendants' documents.

Consistent with the Court's June 4, 2015 Minute Entry, Plaintiff is also contacting each of the applicable non-parties that Plaintiff subpoenaed whose documents were designated as confidential or highly confidential and were also included in full or in redacted form in the parties' summary judgment filings. Plaintiff is advising them of the Court's June 3, 2015 Order and enclosing a copy of that Order, and soliciting their position as to whether they object to the unsealing of their applicable documents. Plaintiff is requesting that the non-parties respond to Plaintiff by June 15, 2015 so that we may inform the Court of their position by the June 17, 2015 deadline set forth in the Court's June 4, 2015 Minute Entry. Plaintiff is also advising these non-parties that they may submit any such objections directly to the Court.

To date, Plaintiff has received a response from one non-party stating that it believes it will not object to the unsealing of its documents. Plaintiff will update the Court by the June 17, 2015 deadline set forth in the Court's June 4, 2015 Minute Entry as to the positions of all such applicable non-parties Plaintiff subpoenaed.

Plaintiff is prepared to remove all applicable redactions and re-submit its publicly-filed summary judgment papers in the manner, and at or by the time, that the Court so directs.

Dated: June 10, 2015

David S. Frydman (dfrydman@frydmanllc.com)
Frydman LLC
501 Fifth Avenue - 15th Floor
New York, NY 10017
Tel: (212) 355-9100
Fax: (212) 997-0371
– and –
D'Anna Harper (dharp@gusraekaplan.com)
Gusrae Kaplan Nusbaum, PLLC
120 Wall Street
New York, NY 10005
Tel: (212) 269-1400
Fax: (212) 514-8479

*Local Counsel for Lead Plaintiff Dodona I, LLC and
the Class*

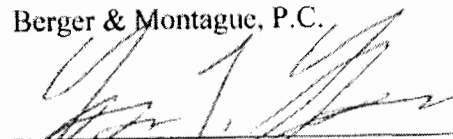
Steven L. Bloch (sbloch@baileyglasser.com)
Bailey Glasser LLP
One Tower Bridge
100 Front Street - Suite 1235
West Conshohocken, PA 19428
Tel: (610) 834-7506
Fax: (610) 834-7509

*Additional Counsel for Lead Plaintiff
Dodona I, LLC*

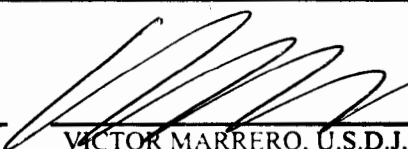
kal6997177

Respectfully submitted,

Berger & Montague, P.C.


Merrill G. Davidoff (mdavidoff@bm.net)
Lawrence J. Lederer (lleder@bm.net)
Robin Switzenbaum (rswitzbaum@bm.net)
Barbara A. Podell (bpodell@bm.net)
Jon J. Lambiras (jlambiras@bm.net)
Lane L. Vines (lvines@bm.net)
1622 Locust Street
Philadelphia, PA 19103
Tel: (215) 875-3000
Fax: (215) 875-4604

*Lead Counsel for Lead Plaintiff Dodona I,
LLC and the Class*

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by	
<u>plaintiff</u>	
SO ORDERED.	
<u>6-15-15</u>	
DATE	VICTOR MARRERO, U.S.D.J.